

DETAILED ACTION

1. Claims 1, 2, 12-15, 24, 25, 35-38, 56, 60-66, and 69-77 are pending in this communication filed 11/16/10 entered as Response After Non-Final (Miscellaneous Communication to Applicant) after filing a Request for Continued Examination on 2/09/10).
2. The 35 USC 112 Second Paragraph Rejection has been overcome by Applicants' amendment to the claims and convincing argument and is hereby withdrawn.
3. The IDS filed 4/28/09 has been considered, entered and attached.

EXAMINER'S AMENDMENT

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicants', an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in an interview on 26 January 2011 and in a telephone call on the same date by Attorney Rhett White.

1. (Currently Amended) A method, comprising:
maintaining by a processing system comprising one or more server computers, a data repository of registered users, the data repository, comprising information for a first network user having a first registration status that is set to an open status indicating that the processing agent system will process payment requests on behalf of the first network user to both preferred payees included in a plurality of preferred payees and to at least one other payee not included in the plurality of preferred payees;
receiving, by [[a]] the processing agent system, information identifying a second network user;

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determining, by the processing agent system responsive to receiving the information identifying the second network user, a credit risk associated with making payments on behalf of the second network user;

setting, by the processing agent system based at least in part on the determined credit risk, a second registration status for the second network user to ~~one of (i)~~ a closed status indicating that the processing agent system will only process payment requests on behalf of the second network user to the preferred payees included in the a defined plurality of preferred payees ~~payees, or (ii) an open status indicating that the processing agent will process payment requests on behalf of the network user to either the preferred payees or and to other payees not included in the defined plurality of preferred payees;~~

transmitting, from the processing agent system for presentation to the first user, ~~when the registration status is set to the closed status, a closed~~ an open payment screen that only allows payment to both the preferred payees and the at least one other payee; and any of the defined plurality of preferred payees, and

transmitting, from the processing agent system: for presentation to the second user, ~~when the registration status is set to the open status, an open~~ a closed payment screen that only allows payment to either any of the defined plurality of the preferred payees, payees or to one payees;

~~wherein the prior steps are performed by one or more server computers associated with the processing agent.~~

2. (Currently Amended) The method of claim 1, wherein receiving information identifying a second network user comprises receiving information identifying the second network user from a sponsor of the second network user.

3-11. (Canceled)

12. (Currently Amended) The method of claim 1, wherein setting ~~the a~~ second registration status comprises setting the second registration status when the ~~defined~~ plurality of preferred payees is determined by an entity other than the second network user.

13. (Currently Amended) The method of claim 12, wherein setting ~~the a~~ second registration status comprises setting the second registration status when the entity is a sponsor of the second network user.

14. (Currently Amended) The method of claim 12, wherein setting ~~the a~~ second registration status comprises setting the second registration status when the entity is the processing agent.

15. (Currently Amended) The method of claim 1, wherein setting ~~the a~~ second registration status ~~associated with the network user to one of the open status or the closed status~~ comprises setting the second registration status based at least in part upon the identity of a sponsor of the second network user.

16. (Previously Canceled)

17. (Presently Cancelled)

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18. (Presently Cancelled)

19. (Presently Cancelled)

20. (Presently Cancelled)

21. (Presently Cancelled)

22. (Presently Cancelled)

23. (Presently Cancelled)

24. (Currently Amended) A system, comprising:

a communications port configured to receive and transmit information via a network;
a memory configured to store information associated with providing electronic payment services; and

a processor in communication with the communications port and the memory and ~~configured~~ programmed to 1) receive, from the communications port, information identifying a network user, 2) determine, responsive to receiving the information identifying the network user, a credit risk associated with making payments by a processing agent on behalf of the network user, 3) set, based at least in part on the determined credit risk, a registration status for the network user to one of a closed status indicating that the processing agent will only process payment requests on behalf of the network user to preferred payees included in a ~~defined~~ plurality of preferred payees, or an open status indicating that the processing agent will process payment requests on behalf of the network user to ~~either~~ both the preferred payees ~~[[or]]~~ and to at least one other payee ~~payees~~ not included in the ~~defined~~ plurality of preferred payees, 4) direct, when the registration status is set to the closed status, the

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transmission of a closed payment screen that only allows payment to ~~any of the~~ preferred payees; ~~payee included in the defined plurality of preferred payees~~ and 5) direct, when the registration status is set to the open status, an open payment screen that allows payment to ~~either any of the defined plurality of~~ both the preferred payees ~~or to one of~~ and the at least one other ~~payee payees~~.

25. (Previously Presented) The system of claim 24, wherein the information identifying the network user is received from a sponsor of the network user.

26-34. (Canceled)

35. (Previously Presented) The system of claim 24, wherein the defined plurality of preferred payees is determined by an entity other than the network user.

36. (Previously Presented) The system of claim 35, wherein the entity is a sponsor of the network user.

37, (Previously Presented) The system of claim 35, wherein the entity is the processing agent.

38. (Previously Presented) The system of claim 24, wherein setting the registration status associated with the network user to one of the open status or the closed status is based at least in part upon the identity of a sponsor of the network user.

39-55 (Canceled)

56. (Previously Presented) A system, comprising:

means for maintaining, by a processing agent system comprising one or more server computers, a data repository of registered users, the data repository comprising information for a first network user having a first registration status that is set to an open

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status indicating that the processing agent system will process payment requests on behalf of the first network user to both preferred payees included in a plurality of preferred payees and to at least one other payee not included in the plurality of preferred payees;

means for receiving, by ~~[[al]~~ the processing agent system, ~~server computer~~ information identifying a second network user;

means for determining, by the processing agent system ~~server computer~~ responsive to receiving the information identifying the second network user, a credit risk associated with making payments on behalf of the second network user;

means for setting, by the processing agent system ~~server computer~~ based at least in part on the determined credit risk, a second registration status for the second network user ~~to one of (i)~~ a closed status indicating that the processing agent system ~~server computer~~ will only process payment requests on behalf of the second network user to the preferred payees included in the a defined plurality of preferred payees; ~~payees,~~ and or an open status indicating that the processing ~~server computer~~ will process payment requests on behalf of the network user to either the preferred payees or other payees not included in the defined plurality of preferred payees;

means for transmitting, from the processing agent system for presentation to the first user, ~~server computer when the registration status is set to the closed status,~~ a closed an open payment screen that ~~only~~ allows payment to both the preferred payees and the at least one other payee; and ~~any of the defined plurality of preferred payees;~~ and

means for transmitting, from the processing agent system for presentation to the second

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~~user. server computer when the registration status is set to the open status, an open a closed payment screen that only allows payment to either any of the defined plurality of the preferred payees. payees or to one of the other payees.~~

57. (Canceled)

58. (Canceled)

59. (Canceled)

60. (Currently Cancelled)

61. Currently Amended) The method of claim I, wherein a payee is included in the ~~defined~~ plurality of preferred payees as a result of (i) an agreement between the payee and the processing agent, (ii) an agreement between a sponsor associated with the network user and the processing agent, or (it) an analysis or a history of payments directed to the payee.

62. (Currently Amended) The method of claim I, further comprising:
changing the second registration status to the ~~other of the closed status or the open~~ status.

63. (Currently Amended) The method of claim 62, further comprising:
notifying the second network user of the change in the second registration status.

64. (Currently Amended) The method of claim 62, ~~wherein the registration status is initially set to the closed status, and~~ further comprising:
receiving a request from the second network user to upgrade from the closed status to the open status, wherein the second registration status is changed from the closed status to the open status responsive to the received request.

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65. (Currently Amended) The method of claim 62, further comprising:

storing a payment history associated with the second network user, wherein the second registration status is changed based on the stored payment history.

66. (Currently Amended) The method of claim 65, wherein changing the registration status based on the stored payment history includes at least one of (i) determining a length of time the second network user has been registered for payment processing, (it) determining a number of payments directed by the second network user, (iii) determining a number of payments directed by the second network user for which a debit was not honored, or (iv) determining a function relating to a number of payments directed by the second network user for which a debit was not honored to a total number of payments directed by the second network user.

67. (Canceled)

68. (Canceled)

69. (Currently Amended) The system of claim 24, wherein the processor is further programmed ~~configured~~ to:

set the registration status to the closed status prior to determining the credit risk and during a real-time communication session with. the network user, wherein the registration status is set to the open status outside a real-time communication session with the network user.

70. (Currently Cancelled)

71. (Currently Amended) The system of claim 24, wherein a payee is included in the ~~defined~~ plurality of preferred payees as a result of (i) an agreement between the payee

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and the processing agent, (ii) an agreement between a sponsor associated with the network user and the processing agent, or (ii) an analysis of a history of payments directed to the payee.

72. (Currently Amended) The system of claim 24, wherein the processor is further programmed ~~configured~~ to:

change the registration status ~~from~~ to ~~[[the]]~~ an other of the closed status or the open status.

73. (Currently Amended) The system of claim 72, wherein the processor is further programmed ~~configured~~ to:

notify the network user of the change in registration status.

74. (Currently Amended) The system of claim 72, wherein the registration status is initially set to the closed status, and wherein the processor is further programmed ~~configured~~ to:

receive, via the network and from the communications port, a request from the network user to upgrade from the closed status to the open status, wherein the registration status is changed from the closed status to the open status responsive to the received request.

75. (Currently Amended) The system of claim 72, wherein the processor is further programmed ~~configured~~ to:

store a payment history associated with the network user in the memory, wherein the registration status is changed to the other of the closed status or the open status based on the stored payment history.

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76. (Currently Amended) The system of claim 75, wherein the change in ~~changing~~ the registration status based on the stored payment history includes at least one of (i) determining a length of time the network user has been registered for payment processing, (ii) determining a number of payments directed by the network user, (iii) determining a number of payments directed by the network user for which a debit was not honored, or (iv) determining a function relating a number of payments directed by the network user for which a debit was not honored to a total number of payments directed by the network user.

77. (New) The method of claim 1 further comprising:

Changing the first registration status to the closed status.

78. (New Currently Amended) The method of claim 62, wherein determining the credit risk comprises determining a first credit risk, and further comprising:

determining, subsequent to setting the second registration status, a second credit risk associated with making payments on behalf of the second network user, wherein changing the second registration status to the ~~other of the open status or the closed status~~ comprises changing the second registration status based at least in part on the determined second credit risk.

79. (New Currently Amended) The system of claim 72, ~~70~~, wherein ~~determining a~~ the credit risk comprises determining a first credit risk, and wherein the processor is further programmed ~~configured~~ to:

determine, subsequent to setting the registration status, a second credit risk associated with making payments on behalf of the network user, and

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change the registration status to the other of the open status or the closed status based at least in part on the determined second credit risk.

Reasons for Allowance

4 Claims 1, 2, 12-15, 24, 25, 35-38, 56, 61-66, 69, and 71-79 are allowed and now renumbered claims 1-29.

The following is an Examiner's statement of reasons: The best prior art of record, Kitchen and Yahoo! discloses providing services to both users having status and Embrey and Britto do not have the capability to provide a payment service to both users having an open status and users having a closed status. Thus, Kitchen, Yahoo!, Embrey, and Britto taken alone or in any combination do not teach or suggest a payment system and method that can facilitate the provision of services to both users having an open status and users having a closed status, setting a registration status (e.g., an open or closed status) based upon a determined credit risk that can facilitate the transmission of both open payment screens and closed payment screens.

Other Relevant Prior Art Made of Record

Dent et al. (US 6,128,603); Thomson et al. (US 5,121,945); Schutzer (US 6,292,789); Slavin et al. (US 7,805,365); Neely et al. (US 7,702,579); Powar (US 6,438,527); Pickering (US 5,483,445); and Sharma (US 7,848,972).

NPL References

1) "Communications in managing modern payment systems" by Anonymous.

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- 2) Special Report Series: Electronic Billing; Bank Technology News; "Electronic Bill Presentment The Real Killer App?" by Jackie Cohen.
- 3) High Beam Research; "CUs plan electronic bill payment. (credit unions) 9includes related article on Credit Union National Association Mutual Group piloting bill-presentment program)" by Gregg, Leigh.
- 4) "Microsoft and First Data Form Internet Bill Payment Company" by Microsoft Corp. of Redmond, Washington and First Data Corp. of Hackensack, N. J.
- 5) Carnegie Mellon University Information Networking Institute; "NetBill: 1994 Prototype TR 1994-11".
- 6) "Business & Company Resource Center" by Russell Redman.

An extensive search was performed and no better prior art was found.

For these reasons claims 1, 24, and 56 are deemed allowable over the prior art of record and claims 2, 12-15, 25, 35-38, 56, 61-66, 69, and 71-79 are allowed by dependency.

It appears that the instant invention is beyond the skill of one of ordinary art. Accordingly the invention would NOT have been obvious because one of ordinary skill could not have been expected to achieve it. NOR would they have been able to predict the results, and as such, they would have not capability of expecting success.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 571-272-6741. The examiner can normally be reached on a Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Trammell James can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ella Colbert/
Primary Examiner, Art Unit 3694

January 26, 2011